

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled MICRO-ELECTRO-MECHANICAL VARIABLE OPTICAL ATTENUATOR, the specification of which:

- ☒ is attached hereto.
☐ was filed on _ as Application Serial No. _ and was amended on _____.
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

COMBINED DECLARATION AND POWER OF ATTORNEY

Page 2 of 2

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Scott C. Harris, Reg. No. 32,030
David L. Feigenbaum, Reg. No. 30,378
Hans R. Troesch, Reg. No. 36,950
Bing Ai, Reg. No. 43,312
John C. Phillips, Reg. No. 35,322
Frederick H. Rabin, Reg. No. 24,488
Joseph L. Stevenson, Reg. No. 43,163

William J. Egan, III, Reg. No. 28,411
James T. Hagler, Reg. No. 40,631
Samuel Borodach, Reg. No. 38,388
Kenyon S. Jenckes, Reg. No. 41,873
Richard J. Anderson, Reg. No. 36,732
Michael P. Reed, Reg. No. 45,647
William B. Hunter, Reg. No. 47,671

Address all telephone calls to BING AI at telephone number (858) 678-5070.

Address all correspondence to SCOTT C. HARRIS at:

FISH & RICHARDSON P.C.
PTO Customer No. 20985
4350 La Jolla Village Drive, Suite 500
San Diego, California 92122

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: VLAD NOVOTNY

Inventor's Signature:

Los Gatos, California
Canada

Date:

Sep. 9, 2001

Citizenship:

Post Office Address:

16105 Cerro Vista Drive
Los Gatos, California 95032

Full Name of Inventor: YEE-CHIUNG FU

Inventor's Signature:

Fremont, CA

Date:

Nov. 9, 2001

Residence Address:

Citizenship:

Taiwan

Post Office Address:

40328 Imperio Place
Fremont, CA 94539

Full Name of Inventor: ZUO WANG

Inventor's Signature:

San Jose, CA

Date:

Nov. 9, 2001

Residence Address:

Citizenship:

China

Post Office Address:

3491 Clover Oak Drive
San Jose, CA 95148

10146495.doc